



## MEMORANDUM

**TO:** Gregg Thornton, Ohio Board of Speech-Language Pathology & Audiology

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** November 2, 2012

**RE:** **CSI Review – Five Year Rule Review-2012 (OAC 4753-8-01, 4753-8-03, 4753-8-05, 4753-9-01, 4753-10-01, 4753-10-02, 4753-10-04, 4753-10-05, 4753-10-06)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

### **Analysis**

The Speech-Language Pathology and Audiology Board's rules are being proposed under the five-year review required by ORC 119.032. There are nine "no change" rules that address professional standards for provider services in the areas of hearing aid sales and advertisement, hearing aid test procedures, code of ethics, and student permit requirements. The rule package was filed with the CSI Office on October 3, 2012 with a public comment period ending on October 23, 2012. There was one favorable comment received during the public comment period.

The intent of the proposed regulation is to ensure that there are appropriate and reasonable regulations governing the advertising, sale, dispensing, and testing for hearing aids; to ensure all licensees adhere to ethical standards in providing professional services to consumers; and to ensure applicants for the speech-language pathology student permit are qualified and receive appropriate supervision when providing professional services to the consumer. The rule also provides the Board disciplinary authority if a misrepresentation occurs.

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Yearly, the Board reviews the upcoming rules and rule changes with the Ohio Speech and Hearing Governmental Affairs Coalition (GAC) whose total membership represents nearly 50 percent of the licensees regulated by the Board. According to the Board, the GAC did not recommend any changes to this rule package. In addition, the Board noted that it had not received any comments from licensees over the years concerning these rules. The level of stakeholder outreach described appears to be appropriate for the existing no change rules.

The Board identified the adverse impact to licensees as the time to comply with the rules, potential disciplinary action if a licensee engages in deceptive practices, record keeping, and potential costs for a student permit. After reviewing the proposed rule package and the associated revised BIA, the CSI Office has determined that the rule package satisfactorily meets the standards espoused by the CSI Office, and the purpose of the rules is justified.

### **Recommendations**

For the reasons explained above this office does not have any recommendations regarding this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Board should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor's Office